

THE RULES OF INTESTACY

ORDER OF PRIORITY

England and Wales – October 2023



RECENT CHANGES

An increased Statutory Legacy (fixed net sum) of £322,000 became effective on 26th July 2023.

For deaths prior to this date, the fixed sum amount is £270,000.

The statutory legacy is relevant when an individual dies intestate leaving behind a surviving spouse or civil partner and any children.



ORDER OF ENTITLEMENT

1. Married couples & Civil partners

* The surviving spouse or civil partner is entitled to receive the first £322,000 of assets and all personal possessions.

The remainder of the estate is halved – 50% will go to the surviving spouse or civil partner and 50% is divided equally between any children.



ORDER OF ENTITLEMENT

2. Children

* If this person has died before the intestate, their children will inherit in their place, each sharing their parent's entitlement.



ORDER OF ENTITLEMENT

3. Parents



ORDER OF ENTITLEMENT

4. Siblings of whole-blood

* If this person has died before the intestate, their children will inherit in their place, each sharing their parent's entitlement.



ORDER OF ENTITLEMENT

5. Siblings of half-blood

* If this person has died before the intestate, their children will inherit in their place, each sharing their parent's entitlement.



ORDER OF ENTITLEMENT

6. Grandparents



ORDER OF ENTITLEMENT

7. Uncle or Aunts of whole-blood

* If this person has died before the intestate, their children will inherit in their place, each sharing their parent's entitlement.



ORDER OF ENTITLEMENT

8. Uncle or Aunts of half-blood

* If this person has died before the intestate, their children will inherit in their place, each sharing their parent's entitlement.



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